



July 24, 2015

Elizabeth Lincoln, Director  
Minnesota Legislative Reference Library  
645 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
Saint Paul, MN 55155-1050

Dear Director Lincoln:

The Minnesota Department of Human Rights (MDHR) submits its semi-annual report to the Legislature summarizing investigation results and the resolution of complaints filed with the Department for the first six months (January-June) of 2015.

**Summary:**

MDHR continues to improve its effectiveness by focusing on closing older cases and on reducing investigation time. This has resulted in reducing its inventory of cases, reducing the number of cases over one year old to a historic low, and reducing the average time to reach a determination by 61 days.

As a result of the Department's effort in this area, the Department's inventory has dropped from 842 cases at the end of December 2012 to 390 cases at the end of June 2015. There was a reduction of 46 cases in the past six months.

MDHR reduced the number of cases older than one year by 61% during the reporting period. MDHR now only has 12 cases older than one year, after beginning the calendar year with 31 cases older than one year. The work of the Department in eliminating its inventory of old cases has been dramatic. As of June 2012, the Department had 228 cases older than one year; this is a 95% reduction over the past 3 years.

The Department's average time to reach a determination during this period was 266 days. This is a decrease of 61 days from the end of 2014. This builds off of a reduction of 51 days during the period from July-January 2014 for a reduction of 112 days on average in the past year to date. In the past 2.5 years, the Department has reduced the average time to issue a determination by 4 months, a 31% reduction.

During the reporting period, the Department settled nearly twice as many cases through conciliation over the prior 6-month period. The Department settled 75 cases for a total of \$311,623 in damages. In the second half of 2014, the Department settled 39 cases for \$454,375.

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**Case Inventory:**

- 390 cases were pending determination as of June 30, 2015; an 11% decrease or reduction of 46 cases from the prior reporting period. As of June 30, 2015, MDHR had closed 347 cases and filed 284 charges. The average case load for an investigator is 32 cases.
- 94% of cases filed in the last six months are open; 97% of cases are less than a year old. The Department reduced its inventory of cases older than a year by 64% from the last report.
  - 166 cases less than 90 days old
  - 116 cases between 91-180 days old
  - 68 cases between 181-270 days old
  - 27 cases between 271-365 days old
  - 12 cases over 365 days old

**Closures & Determinations:**

- 23.05% of closed cases resulted in a favorable outcome or were withdrawn by the charging party: 37 cases resulted in a probable cause determination (10.66%), 14 cases were resolved prior to a formal determination (4.03%), 28 cases were withdrawn by the charging party (8.07%), and in 1 case the Department reached settlement prior to investigation (0.29%).
- 76.95% of determinations resulted in a favorable outcome for the respondent. The Department closed 254 cases (73.20%) with a no probable cause determination and 13 cases (3.75%) were dismissed by the Department.
- The average time to reach a determination decreased 61 days from the prior reporting period to 266 days.
  - Average time to dismiss a case was 228 days, an increase of 9 days from the last reporting period.
  - Average time to reach a no probable cause determination was 257 days, a decrease of 68 days from the last reporting period.

**Alternative Dispute Resolution:**

- The Department pursued mediation in 43 (15.14%) of the 284 charges filed this reporting period; the parties agreed to mediate in 22 cases (7.75%). MDHR successfully scheduled 13 mediations in which 1 case reached settlement. The average time for a mediation to reach settlement was 157 days. 22 charges are currently in some phase of the mediation process.

**Trends:**

- Employment charges continue to constitute the largest number of charges filed with the Department. 277 employment related charges were filed during the reporting period which constitutes 59.4% of all charges filed. Race (23%), disability (23%), and sex (22%) are the most common types of employment charges.
- The most common bases of discrimination, without regard to subject area, are race (25%), disability (24%), sex (22%), age (10%) and national origin (7%).

The work of MDHR's staff over the last few years has resulted in the Department substantially reducing its case inventory, reducing its inventory of older cases by 95% in the past three years, and significantly reducing the average length of time to reach a determination. Process improvements have translated

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into faster determinations and better service being provided to the Minnesotans who interact with the Department.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin M. Lindsey". The signature is fluid and cursive, with a large initial "K" and a long, sweeping underline.

Kevin M. Lindsey  
Commissioner

Enclosure: Case Distribution Report

cc: Senator Ron Latz  
Senator Warren Limmer  
Representative Sarah Anderson  
Representative Sheldon Johnson  
Luke Kuhl, Office of Governor Mark Dayton

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Minnesota Department of Human Rights

BASIS - AREA - FILING

File Date Range: January 1, 2015 to June 30, 2015

Total Charges Filed During Date Range: 284

| AREA                             | BASIS |       |       |            |                 |                |                 |                          |      |          |     |                    | TOTAL | Percentage |
|----------------------------------|-------|-------|-------|------------|-----------------|----------------|-----------------|--------------------------|------|----------|-----|--------------------|-------|------------|
|                                  | Age   | Color | Creed | Disability | Familial Status | Marital Status | National Origin | Public Assistance Status | Race | Religion | Sex | Sexual Orientation |       |            |
| Education                        |       |       |       | 5          |                 |                |                 | 1                        | 3    |          | 1   | 2                  | 12    | 2.6%       |
| Employment - Employer            | 39    | 2     | 1     | 63         | 5               | 5              | 19              | 1                        | 63   | 10       | 61  | 8                  | 277   | 59.4%      |
| Employment - Employment Agency   |       |       |       |            |                 |                |                 |                          | 2    |          |     |                    | 2     | 0.4%       |
| Housing/Real Property            |       |       |       | 3          | 1               | 1              | 2               | 2                        | 4    | 2        | 1   | 1                  | 17    | 3.6%       |
| Public Accommodations            |       |       |       | 7          |                 |                |                 |                          | 10   |          | 1   | 1                  | 19    | 4.1%       |
| Public Services                  |       |       |       | 11         |                 |                | 3               | 2                        | 11   | 3        | 2   | 1                  | 33    | 7.1%       |
| Reprisal (Education)             |       |       |       | 2          |                 |                |                 |                          |      |          |     |                    | 2     | 0.4%       |
| Reprisal (Employment)            | 6     |       |       | 18         | 3               |                | 7               |                          | 22   | 4        | 35  | 2                  | 97    | 20.8%      |
| Reprisal (Employment - Agency)   |       |       |       |            |                 |                |                 |                          | 1    |          |     |                    | 1     | 0.2%       |
| Reprisal (Housing/Real Property) |       |       |       | 2          | 1               |                |                 |                          | 1    | 1        |     |                    | 5     | 1.1%       |
| Reprisal (Public Accommodations) |       |       |       |            |                 |                |                 |                          |      |          | 1   |                    | 1     | 0.2%       |
| Percentage                       | 10%   | 0%    |       | 24%        | 2%              | 1%             | 7%              | 1%                       | 25%  | 4%       | 22% | 3%                 |       |            |

Note: Because there can be more than one Area and/or Basis per charge filed, counts of Area and Basis combinations will not reconcile with number of charges filed.